IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 13TH SEPTEMBER 2006 / 22ND BHADRA 1928

Bail Appl..No. 5515 of 2006

CRIME NO.352/2006 OF KOCHI CUSBA POLICE STATION

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PETITIONER/ACCUSED.

SUNIL, AGED 32 YEARS,
S/O. KUNJAN BAVA, KAMADITHARA HOUSE,
PALAMITTOM ROAD, EDAKOCHI KARA, EDAKOCHI VILLAGE,
KOCHI TALUK, KOCHI - 6.

BY ADV. SRI.P.L.DEVADAS

RESPONDENTS: COMPLAINANTS.

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1. THE SUB INSPECTOR OF POLICE,
KOCHI CUSBA POLICE STATION, KOCHI.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5515/2006

DATED THIS THE 13TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., as he is accused of the offence punishable under Section 376 IPC in crime No.352/2006 of Kochi Cusba police Station.

2. It is alleged that he had committed rape on the victim and impregnated her. After considering the facts that are placed before me, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.352/2006 of Kochi Cusba Police Station on 20.9.2006 between 10.30 a.m and 11.00 a.m.

3. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, as per the law. The learned Magistrate shall consider the application for bail as well as the

application for custodial interrogation, if any, filed by the Investigating Officer, and pass appropriate orders on merit.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs